

REMARKS

Favorable reconsideration of this application as presently amended and in view of the following discussion is respectfully requested.

Claims 1-12 are pending in the present application. Claims 1, 2, 4 and 9 are amended, Claim 5 is canceled and Claim 12 is added by the present amendment.

Amendments to Claims 2, 4 and 9, and new Claim 12 find support in the claims as originally filed. Amendments to Claim 1 find support in the specification as originally filed at least at page 23, line 13, to page 24, line 8. Thus, no new matter is added.

This amendment is submitted in accordance with 37 C.F.R. § 1.116, which after final rejection permits entering of amendments, canceling claims, complying with any requirement of form expressly set forth in a previous Office Action, or presenting rejected claims in better form for consideration on appeal. It is therefore respectfully requested that the present amendment be entered under 37 C.F.R. § 1.116.

In the outstanding Office Action, Claim 9 was rejected under 35 U.S.C. § 101; Claim 2 was objected to; Claim 1 was rejected under 35 U.S.C. § 103(e) as anticipated by U.S. Patent 6,473,396 to Kumar; Claim 4 was rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,975,738 to DeKoning et al. (herein "DeKoning"); Claims 2, 3, 5, 7 and 8 were indicated as allowable if rewritten in independent form; Claim 9 was indicated as allowable if rewritten to overcome the rejection noted above; and Claims 6, 10 and 11 were allowed.

Applicant gratefully acknowledges the Examiner's indication of allowable subject matter. Accordingly, new Claim 12 recites the features of Claim 1 and the features of Claim 2, which were indicated as allowable. Further, Claim 4 is amended to recite the features of Claim 5, which were indicated as allowable thereby rendering moot the rejection of Claim 4 as anticipated by DeKoning, and Claim 5 is accordingly canceled. In addition, Claim 9 is

amended to overcome the rejection under 35 U.S.C. § 101 as suggested in the outstanding Office Action.

Accordingly, it is respectfully submitted that independent Claims 4, 9 and 12, and claims depending therefrom, are allowable.

Further, Claim 2 is amended to overcome an objection as suggested in the Office Action. Accordingly, it is respectfully requested the objection to Claim 2 be withdrawn.

Applicant respectfully traverses the rejection of Claim 1 under 35 U.S.C. § 103(e) as anticipated by Kumar, with respect to amended Claim 1.

Amended Claim 1 is directed to a field apparatus control system for controlling a field apparatus connected to a field bus. The field apparatus control system includes, *inter alia*, first and second main control units configured to control the field apparatus and first and second communication control units configured to process information communication between the first and second main control units, respectively, and the field apparatus via the field bus. The first and second communication control units have a same address on a network via the field bus, and information outputted to the same address from the field apparatus via the field bus is received and processed by both the first and second communication control units.

This arrangement advantageously results in a more reliable field apparatus control system by simplifying and accelerating the process of switching from a first communication control unit to a second communication control unit upon a failure condition.¹

Applicant respectfully submits that Kumar does not teach or suggest that first and second communication control units share a same address and that information outputted to the same address from the field apparatus is received and processed by both the first and second communication control units. Kumar describes a system including active server 101

¹ Specification at page 5, lines 5-11; page 21, lines 9-13; and page 23, line 23, to page 24, line 8.

and standby server 102 (e.g., first and second communication control units) that have a different physical address and a same logical address.² Kumar's system also includes client modules 121 and 122 (e.g., field apparatuses), and the client modules send packets 200 that are addressed to one of the servers using a destination address field 204 including a single logical or physical bit 205 that indicates if the address is a logical address or a physical address.³

Further, according to Kumar, a "server module made active is configured to receive packets with destination addresses that are both physical and logical, whereas server modules on standby is [sic] configured to receive packets with physical addresses."⁴ However, Kumar does not indicate that received packets are processed, and as noted in the outstanding Office Action, "standby modules 'receive' the packets . . . but simply ignore or do not process the payload of the packets of the corresponding logical address while it is designated as a standby module."⁵ Thus, standby server modules do not process packets with the same address as sent to the normal server modules. In other words, Kumar indicates that a packet with a given address is processed only by an active server, and are not processed by the standby server. Hence, Applicant respectfully submits Kumar does not teach or suggest "information outputted to the same address from the field apparatus via the field bus is received and processed by both the first and second communication control units," as in Claim 1.

Accordingly, it is respectfully submitted that independent Claim 1, and claims depending therefrom, are allowable.

² Kumar at column 4, lines 25, and column 7, lines 13-17.

³ Kumar Figures 1 and 2.

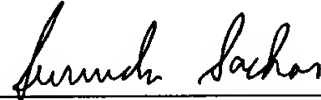
⁴ Kumar at column 6, lines 33-37.

⁵ Office Action at page 11, lines 2-6.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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